

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: BENNEKER et al.  
Title: 4-PHENYLPIPERIDINE COMPOUNDS  
Appl. No.: 09/200,743  
Filing Date: 11/30/1998  
Examiner: Celia C. Chang  
Art Unit: 1625  
Confirmation Number: 9739

**PETITION TO WITHDRAW APPLICATION FROM ISSUE**  
**UNDER 37 C.F.R. § 1.313(c)(2)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions the Commissioner to withdraw the captioned application from issue under 37 CFR § 1.313(c)(2), so that Applicant can submit a Request for Continued Examination under 37 CFR § 1.114 with an Information Disclosure Statement to make of record an opinion by the United Kingdom House of Lords of Appeal that discusses a non-U.S. application related to the present application. Applicant was not a party to the House of Lords Appeal, and only recently recognized that the opinion might be of interest to a reasonable examiner of the captioned application.

The issue fee for the captioned application was paid on October 1, 2008.

An Issue Notification has been mailed **setting the issue date as March 17, 2009.**

The Request for Continued Examination under 37 CFR § 1.114, Information Disclosure Statement, a Response Under 37 CFR § 1.111 & 1.114, and a Declaration Under 37 CFR § 1.132 are submitted herewith.

A credit card payment form including the petition fee set forth in 37 CFR § 1.17(h) and the RCE fee set forth in 37 CFR § 1.17(e) is submitted herewith.

Should there be any questions regarding this petition, or should any additional information be required, the Commissioner is urged to contact the undersigned at the telephone number set forth below.

The Commissioner is hereby authorized to charge any additional fees which may be required for this application, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 6, 2009

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By Courtenay C. Brinckerhoff  
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